

There is no question that any experiments conducted with human subjects must be done with full disclosure and a complete examination of the ethical questions involved. But today, research scientists are experimenting with life forms on a more subtle level where the guidelines may not be as patently clear. In their quest to understand the human body and to conquer disease and disability, scientists have turned to the study of the building blocks of living organisms through genetic research and biotechnology.

Genetic research has enormous potential implications for society. For here we are dealing with the very foundations of humanity and nature. Scientists are now able to identify and manipulate gene sequences, and have even begun to create genetically altered life forms. Over the past decade, it has become increasingly apparent that these dramatic advances in biotechnology have outdistanced the legal and ethical parameters that we have in place to deal with them.

Society may reap great benefits from these advances, and other discoveries yet to be made by modern science. But history has taught us that new technologies often bring with them costs as well as benefits. Until now, there has been no mechanism through which to examine the moral and ethical implications of this new technology or to weigh the potential costs to society.

The creation of a National Bioethics Advisory Board is the culmination of many years of efforts to establish such a mechanism. In the 103d Congress, I introduced S. 1042, legislation which would have established a national Biomedical Ethics Advisory Board located within the Department of Health and Human Services. This bill and the two hearings held on this subject last session served to stimulate public dialogue on the need for such a body and established a framework on which the newly created NBAC was based. The administration, especially Dr. Jack Gibbons, worked closely with me in developing their proposal.

The NBAC will be an independent body comprised of 15 members appointed by the President and are likely to be experts from the fields of philosophy, theology, social and behavioral science, law, medicine, and biological research. They will be charged with reviewing the ethical and moral issues that arise in biomedicine including research involving human subjects, and issues in the management and use of genetic information, including human gene patenting.

The addition of specific language establishing genetic information and gene patenting issues as a priority for the commission was particularly important to me, and one which I strongly encouraged the administration to make. Each year since 1987, I have introduced legislation providing for a moratorium on the patenting of living organisms. I have done so because I firmly believe that it is the respon-

sibility of Congress to carefully consider the broad ramifications of the technologies it encourages through patenting. I believe that this newly created National Bioethics Advisory Commission will provide a suitable structure for evaluating the ethical, environmental, and economic considerations of such patents.

Let me emphasize that no one should construe my vigorous support of this commission as a desire to dampen the drive to discover treatments and cures. I am firmly committed to the advancement of scientific and medical research and have been one of the leading proponents of Federal biomedical research funding in Congress. My desire is simply to ensure that the difficult social and ethical issues surrounding this research are raised and taken into account as public officials struggle to establish appropriate policies and practices relating to biomedicine.

The President should be commended for responding to the critical report on human radiation testing by establishing the NBAC to ensure that the rights of human research subjects are examined and protected in the future. And, by including genetic research and patenting issues, he has ensured that Congress and the administration will be equipped to deal with the profound ethical questions relating to this rapidly advancing field as they arise.

I am proud to have been a part of the effort to make the NBAC a reality and look forward to it serving as a vital link between the scientific community, the Government, and society as we face the difficult ethical questions which accompany our drive to treat and cure disease and disability through biomedical research.●

#### SECURITIES LITIGATION REFORM ACT

● Mr. BINGAMAN. Mr. President, I was wondering if my friend and colleague from Connecticut, Senator DODD, would yield for a question?

Mr. DODD. I would be glad to respond to a question from the Senator from New Mexico.

Mr. BINGAMAN. I thank the Senator from Connecticut and would ask him if it is his understanding that Section 101(3)(A) relating to sanctions for filing frivolous pleadings is intended to apply the most serious sanction of attorneys' fees and costs for the entire action only to a complaint that substantially violates Rule 11(b)?

Mr. DODD. The Senator from New Mexico is correct that the award of attorneys' fees for the entire action will only be imposed upon a finding that the complaint substantially violates Rule 11(b).

Mr. BINGAMAN. Is it therefore correct to say that for all other pleadings or motions, whether filed by the plaintiff or defendant, that violate Rule 11(b) the sanction would be an award of attorneys' fees for the costs associated with that particular pleading or motion only?

Mr. DODD. The Senator from New Mexico is correct. An award of attorneys' fees for all other pleadings or motions except for the complaint, whether filed by the plaintiff or defendant, would be only for the costs associated with that pleading or motion.

Mr. BINGAMAN. I thank the Senator from Connecticut and have just one more question. Is it the intent of H.R. 1058 that sanctions for the cost of the entire action would apply if the complaint substantially or seriously violates Rule 11(b)?

Mr. DODD. The Senator from New Mexico is correct.

Mr. BINGAMAN. I thank my friend and colleague from Connecticut.●

#### FEDERAL REPORTS ELIMINATION AND SUNSET ACT

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 790, a bill to provide for the modification or elimination of Federal reporting requirements.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 790) entitled "An Act to provide for the modification or elimination of Federal reporting requirements", do pass with the following amendment:

Strike out all after the enacting clause, and insert:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Federal Reports Elimination and Sunset Act of 1995".*

##### SEC. 2. TABLE OF CONTENTS.

*The table of contents for this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

##### TITLE I—DEPARTMENTS

###### Subtitle A—Department of Agriculture

*Sec. 1011. Reports eliminated.*

*Sec. 1012. Reports modified.*

###### Subtitle B—Department of Commerce

*Sec. 1021. Reports eliminated.*

*Sec. 1022. Reports modified.*

###### Subtitle C—Department of Defense

*Sec. 1031. Reports eliminated.*

###### Subtitle D—Department of Education

*Sec. 1041. Reports eliminated.*

*Sec. 1042. Reports modified.*

###### Subtitle E—Department of Energy

*Sec. 1051. Reports eliminated.*

*Sec. 1052. Reports modified.*

###### Subtitle F—Department of Health and Human Services

*Sec. 1061. Reports eliminated.*

*Sec. 1062. Reports modified.*

###### Subtitle G—Department of Housing and Urban Development

*Sec. 1071. Reports eliminated.*

*Sec. 1072. Reports modified.*

###### Subtitle H—Department of the Interior

*Sec. 1081. Reports eliminated.*

*Sec. 1082. Reports modified.*

###### Subtitle I—Department of Justice

*Sec. 1091. Reports eliminated.*

###### Subtitle J—Department of Labor

*Sec. 1101. Reports eliminated.*

*Sec. 1102. Reports modified.*

###### Subtitle K—Department of State

*Sec. 1111. Reports eliminated.*

*Sec. 1112. International narcotics control.*